

Under the provisions of Section 413.031 of the Texas Workers' Compensation Act, Title 5, Subtitle A of the Texas Labor Code, effective June 17, 2001 and Commission Rule 133.305, titled Medical Dispute Resolution-General, and 133.307, titled Medical Dispute Resolution of a Medical Fee Dispute, a review was conducted by the Division regarding a medical fee dispute between the requestor and the respondent named above. This dispute was received on 6/18/03.

## **I. DISPUTE**

Whether there should be additional reimbursement for hospital admission of 8/29/02 reduced by the respondent based upon fair and reasonable charges.

## **II. RATIONALE**

Commission Rule 133.307 (g)(3)(D) states, “ if the dispute involves health care for which the commission has not established a maximum allowable reimbursement, documentation that discusses, demonstrates, and justifies that the payment amount being sought is a fair and reasonable rate of reimbursement in accordance with §133.1 of this title (relating to Definitions) and §134.1 of this title (relating to Use of the Fee Guidelines);”

Rule 133.307 (g)(3)(E) requires that any documentation that contains confidential information regarding a person other than the injured employee for that claim or a party in the dispute must be redacted by the party submitting the documentation, to protect the confidential information and the privacy of the individual. Un-redacted information shall not be considered in resolving the medical fee dispute.

The requestor failed to submit copies of redacted EOBs supporting that the amounts charged should be considered as fair and reasonable. On this basis, reimbursement is not recommended.

## **III. DECISION**

Based upon the review of the disputed healthcare services within this request, the Division has determined that the requestor **is not** entitled to reimbursement for the emergency room visit of 8/29/02.

The above Findings and Decision are hereby issued this 10<sup>th</sup> day of March 2004.

Noel L. Beavers  
Medical Dispute Resolution Officer  
Medical Review Division

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